

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Oregon

OREGON COAST BANK

Plaintiff(s)

v.

Civil Action No. 6:24-cv-00981-MC

F/V CAP ELZA, O.N. 521054, and F/V IRISH MISS,
O.N. 563523, In Rem; and
F/V CAP ELZA LLC, TIMOTHY R. SMITH, and
DILLAN A. SMITH, In Personam,

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* F/V CAP ELZA LLC
Dillan A. Smith, Registered Agent
1654 Applewood Drive
Coos Bay, OR 97420

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Lafcadio Darling

Lafcadio Darling
Holmes Weddle & Barcott PC
3101 Western Avenue, Suite 500
Seattle, WA 98121-3071
Email: ldarling@hwb-law.com
of attorneys for Plaintiff

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MELISSA AUBIN, Clerk of Court

By: s/L. Errecart, Deputy Clerk

Date: 07/01/2024



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PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Dillan A. Smith
was received by me on (date) 7/17/2024.

☒ I personally served the summons on the individual at (place) 1654 Applewood Drive,
Coxs Bay, OR 97420 on (date) 8/06/2024; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____,
a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
designated by law to accept service of process on behalf of (name of organization) _____
on (date) _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 8/06/2024

Jeremy Bowman
Server's signature
Jeremy Bowman Deputy US Marshal
Printed name and title

405 E 8th Ave. Eugene, OR 97401
Server's address

Additional information regarding attempted service, etc: